

REMARKS

Applicants have now had an opportunity to consider the Examiner's comments set forth in the Office Action of March 1, 2004, the Examiner acknowledged the previously filed Request for Continued Examination of this application. Accordingly, the Examiner withdrew the finality of the previous Office Action.

All of the Examiner's objections and rejections are traversed.

Reexamination and reconsideration are requested.

The Office Action

Claims 1-17, 19, and 25-43 remain in this application.

On page 2, paragraph 2, of the most recent Office Action, the Examiner noted a typographical error appearing at the top of several previously submitted pages in Applicants' Response. Applicants agree with the Examiner's assessment and hereby confirm that the noted error was merely a typographical error.

The Examiner withdrew the rejection of claims 1-17, 25-37, and 29-41 under 35 U.S.C. § 103(a) as unpatentable over Fink et al. in view of Tang et al.

However, the Examiner objected to claims 1-17, 19, and 25-43. In addition, the Examiner rejected claims 38-41 under 35 U.S.C. § 112, second paragraph.

The Examiner indicated that claims 1-17, 19, and 25-43 contain allowable subject matter.

In view of the clarifying amendments and remarks set forth herein, it is respectfully submitted that all of claims 1-17, 19, and 25-43 are in condition for allowance.

A. Objection to Claims 1-17, 19, and 25-43 Must Be Withdrawn

- a. Each of claims 1, 10, 29, 31, 35, 42, and 43 recite "said light emitting layer material"; however, light emitting *material* has not been previously recited. The examiner suggests "said light emitting layer material" be changed to "the light emitting material of said light emitting layer".
- b. In claim 15, "an methoxyphenyl" should be changed to "a methoxyphenyl".
- c. In claims 3 and 15, it appears "biphenyl" should be "biphenyl".
- d. In claim 28, it is suggested "each of" be deleted for clarity.
- e. In claim 29, "the" should be inserted between "adjacent" and "anode".

- f. In claim 30, "is present and is comprised of a phthalocyanine or a stabilized tertiary aromatic amine and which layer" should be deleted, because the limitation is already positively recited in the parent claim.
- g. In claim 30, it is suggested "a light emitting layer" be replaced with "and said light emitting layer".
- h. In claim 30, it is suggested "is" be inserted between "light emitting layer" and "in contact with said hole transport layer".
- i. In claim 30, it is suggested "and comprised of an 8-hydroxyquinoline metal chelate" be replaced with ", is comprised of an 8-hydroxyquinoline metal chelate".
- j. In claim 30, it is suggested "and which layer is" be replaced with ", and is".
- k. In claim 34, "trialine" should be replaced with "triazine". Appropriate correction is required.

Pages 3-4 of the Office Action.

Clarifying amendments are presented herein in accordance with the Examiner's suggestions. It is believed that this ground of objection must be withdrawn.

B. Rejection of Claims 38-41 Under 35 U.S.C. § 112, Second Paragraph, Must Be Withdrawn

7. Claims 38-41 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

8. In claim 38, the recitation "wherein R¹ to R⁵ are each alkyl, alkoxy, or mixtures thereof" renders the claim indefinite. It is not understood how an individual substituent could be a *mixture* of an alkyl group and an alkoxy group. Clarification and/or correction is required.

9. In claim 38 and 39, "wherein at least one" is confusing. Applicant should clarify whether or not the limitation is drawn to the electron transport layer. Clarification and/or correction is required.

10. In claim 41, "wherein at least two" is confusing. Applicant should clarify where or not the limitation is drawn to "conjugated linked" or "fused aromatic rings". Clarification and/or correction is required.

Page 4 of the Office Action.

Clarifying amendments are presented herein. It is believed that this ground of rejection must be withdrawn.

C. Allowance of Claims 1-17, 19, and 25-43

The Examiner indicated that claims 1-17, 19, and 25-43 contain allowable subject matter. Allowance is requested.

CONCLUSION

For the reasons detailed above, it is submitted all claims remaining in the application (claims 1-17, 19, and 25-43) are now in condition for allowance. The foregoing comments do not require unnecessary additional search or examination.

No additional fee is believed to be required for this Amendment. However, the undersigned attorney of record hereby authorizes the charging of any necessary fees, other than the issue fee, to Xerox Deposit Account No. 24-0037.

In the event the Examiner considers personal contact advantageous to the disposition of this case, he/she is hereby authorized to call Richard M. Klein, at Telephone Number (216) 861-5582.

Respectfully submitted,

FAY, SHARPE, FAGAN,
MINNICH & McKEE, LLP



May 11, 2004
Date

Richard M. Klein, Reg. No. 33,000
1100 Superior Avenue, 7th Floor
Cleveland, Ohio 44114-2579
(216) 861-5582